

JAN 27 2006

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FREDRICO GONZALEZ-MARTINEZ; et
al.,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-74912

Agency Nos. A72-321-041
A95-450-129
A95-450-130

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted January 23, 2006 ^{**}

Before: T.G. NELSON, SILVERMAN and BYBEE, Circuit Judges.

Respondent's motion for summary disposition in part and motion to dismiss
in part are granted. The motion for summary disposition is granted with regard to

^{*} This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

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petitioners Jose Manuel Gonzalez-Nunez and Federico Gonzalez-Martinez because the questions raised by their petition for review are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). Accordingly, the petition for review is denied as to petitioners Jose Manuel Gonzalez-Nunez and Federico Gonzalez-Martinez.

Respondent's motion to dismiss this petition for review in part for lack of jurisdiction with regard to petitioner Maria Nunez-Galvan is granted. *See* 8 U.S.C. § 1252(a)(2)(B)(i); *Romero-Torres v. Ashcroft*, 327 F.3d 887, 892 (9th Cir. 2003); *Montero-Martinez v. Ashcroft*, 277 F.3d 1137, 1144 (9th Cir. 2002).

All other pending motions are denied as moot. The temporary stay of removal and voluntary departure confirmed by Ninth Circuit General Order 6.4(c) and *Desta v. Ashcroft*, 365 F.3d 741 (9th Cir. 2004), shall continue in effect until issuance of the mandate.

PETITION FOR REVIEW DENIED in PART and DISMISSED in PART.